

16cv9548

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Damon AsH

Write the full name of each plaintiff.

No. _____

(To be filled out by Clerk's Office)

-against-

City of N.Y

COMPLAINT

(Prisoner)

Do you want a jury trial?

☒ Yes ☐ No

Write the full name of each defendant. If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section IV.

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SDNY PRO SE OFFICE
2016 DEC -9 AM 10:29

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. LEGAL BASIS FOR CLAIM

State below the federal legal basis for your claim, if known. This form is designed primarily for prisoners challenging the constitutionality of their conditions of confinement; those claims are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

☒ Violation of my federal constitutional rights

☒ Other: Property Damage and mental anguish and discriminating

II. PLAINTIFF INFORMATION

Each plaintiff must provide the following information. Attach additional pages if necessary.

Damon C AsH
 First Name Middle Initial Last Name

State any other names (or different forms of your name) you have ever used, including any name you have used in previously filing a lawsuit.

3491608208

Prisoner ID # (if you have previously been in another agency's custody, please specify each agency and the ID number (such as your DIN or NYSID) under which you were held)

M.D.C
 Current Place of Detention

125 white st
 Institutional Address

Manhattan NY 10013
 County, City State Zip Code

III. PRISONER STATUS

Indicate below whether you are a prisoner or other confined person:

☒ Pretrial detainee

☐ Civilly committed detainee

☐ Immigration detainee

☐ Convicted and sentenced prisoner

☐ Other: _____

IV. DEFENDANT INFORMATION

To the best of your ability, provide the following information for each defendant. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are identical to those listed in the caption. Attach additional pages as necessary.

Defendant 1:

| | | |
|--|-----------|--------------|
| First Name | Last Name | Shield # |
| 7 th | Precinct | 1916 Pitt St |
| Current Job Title (or other identifying information) | | |
| Current Work Address | | |
| County, City | State | Zip Code |

Defendant 2:

| | | |
|--|-----------|----------|
| First Name | Last Name | Shield # |
| Current Job Title (or other identifying information) | | |
| Current Work Address | | |
| County, City | State | Zip Code |

Defendant 3:

| | | |
|--|-----------|----------|
| First Name | Last Name | Shield # |
| Current Job Title (or other identifying information) | | |
| Current Work Address | | |
| County, City | State | Zip Code |

Defendant 4:

| | | |
|--|-----------|----------|
| First Name | Last Name | Shield # |
| Current Job Title (or other identifying information) | | |
| Current Work Address | | |
| County, City | State | Zip Code |

V. STATEMENT OF CLAIM

Place(s) of occurrence:

219 Henry St Apt 4A, N.Y., N.Y. 10003

Date(s) of occurrence:

Aug 2012 - March 2016

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and how each defendant was personally involved in the alleged wrongful actions. Attach additional pages as necessary.

From 2012-2016 I have constantly been harrassed had my door kicked in without a warrant an arrest or propable cause. I have been threatened to move out of my building and place of stay, Had my Apt searches illegally by the 7th precinct all without an warrant. I have also been arrested and charged for false crimes such as assault to have the later dismissed and sealed all this, the N.Y. P.D 7th precinct has done for landlord purpose's, they have also failed to take any reports or fulfill there duties that they where sworn into as officers on my behalf I have felt threatend, discriminated against and feared for my well being, this is Not what America stands for. All this I have made 70 complaints about this

To internal affairs, C.R.R.B and all 70 complaints seem to be swept under the rug with no callbacks I even have a text I sent to the Luteint in charge of the investigation and that to was ignored to protect the wrong doing of these detectives and officers all can be be found on Index # 100321/2016 which I am refiling Federally I Dawn Ah

INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

VI. RELIEF

State briefly what money damages or other relief you want the court to order.

3.8 million for Damages, discrimination loss of job and mental anguish and the fear of my life through the mis use of the duties sworn to protect and serve, My loss of Job and other valued things has cause a big disruption in my future and my kids future which I support, the damages they have caused ~~will have~~ me will have a lifetime affect.

Dawn Ah

VII. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I understand that if I file three or more cases while I am a prisoner that are dismissed as frivolous, malicious, or for failure to state a claim, I may be denied *in forma pauperis* status in future cases.

I also understand that prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions, 42 U.S.C. § 1997e(a), and that my case may be dismissed if I have not exhausted administrative remedies as required.

I agree to provide the Clerk's Office with any changes to my address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

| | | | |
|---------------------|----------------|-----------------------|--|
| <u>11-15-16</u> | | <u>2 Damon Ash</u> | |
| Dated | | Plaintiff's Signature | |
| <u>Damon</u> | <u>C</u> | <u>Ash</u> | |
| First Name | Middle Initial | Last Name | |
| <u>125 White St</u> | | | |
| Prison Address | | | |
| <u>Manhattan</u> | <u>N.Y.</u> | <u>10013</u> | |
| County, City | State | Zip Code | |

Date on which I am delivering this complaint to prison authorities for mailing: 11-15-16

Supreme Court
of the
State of New York



80 CENTRE STREET
NEW YORK, NY 10013-4395

HON. MARGARET A. CHAN

Damon Ash
3491608208
George Motchan Detention Center
1515 Hazen Street
East Elmhurst, NY 11370

September 19, 2016

Re: Ash v NYPD 7th Precinct Index # 100321/2016

Dear Mr. Ash,

The court received your undated letter mailed on August 19, 2016, requesting that this court review your case. The above indexed matter was dismissed on August 17, 2016, after you moved to amend the caption and defendants' cross-moved to dismiss. Enclosed is a copy of the court's decision and order. Any further court involvement on your action would have to come by way of an appeal or motion seeking the appropriate relief.

You may wish to seek further information about the court process from the Supreme Court's self-represented office, which is located in 60 Centre Street.

Thank you for your time and attention.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ilana Marcus".

Ilana Marcus
Court Attorney to the
Hon. Margaret Chan



United States District Court
Southern District of New York
Pro Se Office Intake Unit
500 Pearl Street
N.Y., N.Y. 10007

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N.Y., N.Y. 10013

